

# OTTINGER

## EMPLOYMENT LAWYERS

Finn Dusenbery  
[finn@ottingerlaw.com](mailto:finn@ottingerlaw.com)

401 Park Avenue South  
New York, NY 10016  
(212) 571-2000

535 Mission Street, 14th Fl.  
San Francisco, CA 94105  
(415) 262-0096

OTTINGERLAW.COM

April 20, 2022

**By ECF**

Hon. Vincent L. Briccetti  
United States District Judge  
United States District Court  
Southern District of New York  
300 Quarropas St, Courtroom 620  
New York, NY 10601

**Re: Pagan v. Alvin and Friends, LLC**  
**No. 22-cv-1589 (VB)**

Dear Judge Briccetti:

As you know, we represent Plaintiff and the putative class in the above-referenced matter. I write to request that the Court adjourn the deadline for Plaintiff to file a request for a certificate of default and to move by order to show cause for default judgment *sine die*, as Plaintiff's counsel has learned that the process server did not serve Defendants with the summons.<sup>1</sup> This is the second request for an extension or adjournment and Defendants have not appeared.

We thank the Court for its attention to this matter.

Respectfully submitted,

/s/ Finn Dusenbery  
Finn Dusenbery

---

<sup>1</sup> Plaintiff notes that he has 90 days to serve the summons and complaint, or until May 26, 2022, given that the complaint was filed on February 25, 2022. *See* Fed. R. Civ. P. 4(m).